

Congress of the United States
Washington, DC 20515

May 9, 2003

Honorable David Hobson, Chairman
Honorable Peter Visclosky, Ranking Member
Subcommittee on Energy & Water Development
United States House of Representatives
Washington, DC 20515

Dear Chairman Hobson and Ranking Member Visclosky:

We are writing as members of the New England Congressional delegation regarding a matter of significant concern to the citizens of the region – the federal government's failure to deliver on its obligation to remove spent nuclear fuel from commercial nuclear power plants pursuant to the Nuclear Waste Policy Act.

We are now more than five years past the statutorily established date by which the Department of Energy (DOE) was supposed to begin accepting and transporting spent nuclear fuel for management to a federal site. The current DOE position is that it will not begin fulfilling these federal responsibilities until 2010. In the meantime, New England's electric ratepayers have paid over \$1.6 Billion dollars into the Nuclear Waste Fund - and spent nuclear fuel and high-level radioactive waste continues to be stranded in the region with no removal dates or completion schedules in sight.

We are also concerned that the ratepayers of New England – who continue to pay additional millions each year into the Nuclear Waste Fund – are seeing none of these funds directed to build the transportation-related systems and infrastructure necessary to ultimately remove the spent fuel. This situation is further compounded for the ratepayers of the Region's utilities engaged in the decommissioning of nuclear energy plants that have reached the end of their useful lives – specifically the three single-unit reactors sites located in Massachusetts, Connecticut, and Maine – that are in the process of dismantling their reactors and placing the spent fuel into dry cask storage systems. The lack of DOE progress means that security resources, in growing increments, will continue to have to be devoted to these sites in New England to protect nuclear fuel that should already have been removed.

For the sake of utility ratepayers and U.S. taxpayers impacted by the increased security requirements and associated costs necessary to ensure the continued safety of utility on-site storage facilities, one would assume that the DOE would take all steps necessary to accelerate the waste management program, or at least stay on its current schedule.

In recent years the House Appropriations Committee has expressed concern that the DOE will not be ready to fulfill its waste acceptance responsibilities on schedule and also

recommended inclusion of funds for the procurement of transportation casks to address the particular needs of reactor sites undergoing decommissioning and dismantlement.

In that vein, we would hope that DOE would be directed, as a part of the FY '04 appropriation process to develop a program plan that would activate and test all waste acceptance, storage, and transportation functions. Moreover, the DOE should be directed to ensure that its planned infrastructure is capable of utilizing the dual-purpose NRC licensed storage and transportation systems being utilized in New England from the outset of the program.

Accordingly we support directing the Department to develop a demonstration pilot project, to be activated as soon as possible, that would utilize decommissioning plants as a first test of the waste acceptance and transportation program. The benefits of such a pilot would accrue to more than the decommissioning plants as it would: 1) provide a concrete example to be used in communicating spent fuel transportation safety to the public; 2) save electric customers and taxpayers millions of dollars as the decommissioning sites are cleared of spent fuel before they might be otherwise; and, 3) assure DOE transportation issues that will undoubtedly arise prior to full-scale shipping campaign are adequately addressed, in order that nuclear fuel can be quickly and safely removed from operating plants as well.

The scope of the program that we have described should be easily accommodated within the DOE FY 2004 request and will assist the Administration and the Congress in devising better estimates of future requirements. This action is also necessary in order to demonstrate the Department of Energy's ability and intent to remove spent fuel from the commercial reactor sites in New England.

Thank you for your consideration of this request.

Sincerely,

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